

FILED
7/28/21 4:22 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	
Rose Gordon,	:	Case No. 19-70636-JAD
Debtor	:	
	:	Chapter 13

Rose Gordon,	:	
Movant	:	Related to Docket No. 57
	:	
vs.	:	
	:	
Ronda J. Winnecour, Esquire /	:	
Chapter 13 Trustee,	:	
Respondent	:	

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the [MOTION OF THE DEBTOR FOR POSTPETITION FINANCING] [Dkt. No. 57] (“Motion”) filed by Debtors on July 27, 2021. The motion was filed as a Consent Motion. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Motion at Docket Number 57 is **GRANTED** as provided by the terms of this Order. Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:
 - (a) The total amount of financing **shall not exceed \$25,000.00; and**
 - (b) The monthly payments made under the financing agreement **shall not exceed \$450.00.**
 - (c) The interest rate **shall not exceed 20%.**

2. To the extent that the Debtor secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:
 - (a) An amended chapter 13 plan; and
 - (b) A report of financing, including details of automobile trade-in or sale, if applicable.
3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
4. Upon the filing of the report of financing, including details of automobile trade-in or sale, if applicable, the chapter 13 trustee is authorized to cease making payments to the prepetition automobile lender, (NONE). Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments for the contract amount so long as sufficient supplemental funds are provided by the Debtor.
5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the lender.

6. Debtor shall serve copies of this Order on all creditors eligible to receive distributions through the chapter 13 plan and filed proof of the same with the Court.

Prepared by: Paul W. McElrath, Esquire

Dated: July 28, 2021

BY THE COURT:

A handwritten signature in black ink, appearing to read "J. Deller", is written over a horizontal line. To the right of the signature, the letters "mas" are printed.

Jeffery A. Deller,
United States Bankruptcy Judge

CASE ADMIISTRATOR SHALL SERVE:

Rose Gordon
Paul W. McElrath, Jr., Esquire
Ronda J. Winnecour, Esquire
Office of United StatesTrustee

In re:
Rose Gordon
Debtor

Case No. 19-70636-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Jul 28, 2021

User: dpas
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2021:

Recip ID	Recipient Name and Address
db	+ Rose Gordon, PO Box 195, Hyndman, PA 15545-0195

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor M&T Bank bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor Rose Gordon ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 4